

## **REMARKS**

Claims 1-3, 5-8, 29, 31, 47-51, and 53-60 are pending. Claims 1, 54, and 59 have been amended. No new matter has been added.

### **I. Claims 1, 5-8, 53-56, and 59-60 are Allowable**

The Office has rejected claims 1, 5-8, 53-56, and 59-60, at page 2 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent Application Publication No. 2003/0039242 (“Moore”) in view of U.S. Patent Application Publication No. 2003/0092451 (“Holloway”) and further in view of U.S. Patent No. 6,993,363 (“Hsu”) and further in view of U.S. Patent Application Publication No. 2004/0259544 (“Amos”). Applicant respectfully traverses the rejections.

#### **A. Claims 1, 5-8, and 53**

The cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 1. *See* Office Action, p. 3 (Emphasis Added).

In further contrast to claim 1, Holloway discloses a low power RF transmitter associated with a landline telephone. *See* Holloway, paragraph [0017]. Holloway’s low power RF transmitter is programmed to include the phone number of a preferred phone, and this preferred phone number is transmitted as part of the low power RF transmitter’s signal. *See* Holloway, paragraph [0017]. When a mobile phone is within the signal range of the transmitter, the mobile phone receives the transmitter’s signal and subsequently sends a message to a cellular system requesting that calls directed to the mobile phone be directed to the preferred phone. *See*

Holloway, paragraph [0017]. The transmitter disclosed in Holloway is not configured for voice communications via a voice communications network. Furthermore, the transmitter disclosed in Holloway is not configured for voice communications between a mobile communication device and a landline telephone. The transmitter disclosed in Holloway operates to communicate the phone number of a “preferred phone” to any mobile phones that are within signal range of the low power RF transmitter, without ever sending or receiving voice communications.

Holloway does disclose an alternative embodiment of the transmitter, where the transmitter is capable of receiving the identity of a first mobile phone and passing the identity of the mobile phone to a preferred cellular phone. *See* Holloway, paragraphs [0017]-[0021]. Even in this alternative embodiment, Holloway’s transmitter is still not configured for voice communications via a voice communications network. Furthermore, in this alternative embodiment, the transmitter disclosed in Holloway is not configured for voice communications between a mobile communication device and a landline telephone. Holloway’s transmitter is, capable of communicating the identity of one phone to another phone, without ever sending or receiving voice communications. Therefore, the cited portions of Holloway fail to disclose or suggest at least one element of claim 1.

In further contrast to claim 1, Hsu describes a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes at least one mobile switching center (MSC). *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations that the MSC controls. Thus, each base station disclosed by Hsu is associated with an MSC rather than a landline telephone. Therefore, the cited portions of Hsu fail to disclose or suggest at least one element of claim 1.

In further contrast to claim 1, Amos discloses a system for sending and receiving Voice-over-Internet Protocol (VoIP) data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. Amos discloses that the hybrid wireless VoIP telephone communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. The cited portions of Amos do not disclose or suggest a wireless network base station associated with a landline telephone. The cited portions of Amos also do not disclose or suggest a wireless network base station that is configured for voice

communications between a mobile communication device and a landline telephone, as in claim 1.

Therefore, the cited portions of Moore, Holloway, Hsu, and Amos, individually or in combination, fail to disclose or suggest the specific combination of claim 1. Hence, claim 1 is allowable. Claims 5-8 and 53 depend from claim 1, which Applicant has shown to be allowable. Accordingly, claims 5-8 and 53 are also allowable at least by virtue of their dependence from claim 1.

Further, the dependent claims recite additional elements that are not disclosed or suggested by the cited portions of the above-cited references. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest that a wireless network base station gives VoIP data packets higher priority than other data packets, as in claim 53. Moore discloses data traffic that includes telephony data traffic and/or Internet Protocol ('IP') data traffic. *See* Moore, Abstract. Holloway discloses a system for automatically forwarding calls directed to a mobile phone to a distinct preferred telephone number when the mobile phone is within signal range of a special purposed RF transmitter. *See* Holloway, Abstract. Hsu discloses a wireless monitor tool for use with a cellular telephone network. *See* Hsu, Abstract. The cited portions of Moore, Holloway, and Hsu do not disclose giving VoIP data packets higher priority than other data packets, as in claim 53. The Office takes the position that Amos at paragraphs [0029] - [0032] discloses this feature. *See* Office Action, p. 7.

In contrast to claim 53, Amos discloses a system and method for sending and receiving VoIP packets between a wireless computer network and a hybrid wireless VoIP telephone. *See* Amos, Abstract. Amos discloses that the hybrid telephone is capable of transmitting and receiving VoIP packets through an 802.11x transceiver or a Bluetooth transceiver. *See* Amos, paragraph 0030. The cited portions of Amos do not disclose or suggest that a wireless network base station gives the VoIP data packets higher priority than other data packets. The cited portions of Amos only disclose the transmission of VoIP packets, not other data packets, between the hybrid phone and the wireless network. Regardless of whether a packet is received by the hybrid telephone's 802.11x transceiver or a Bluetooth transceiver, that packet is still a VoIP packet. *See* Amos, paragraph 0030. Therefore, the cited portions of Amos do not disclose

or suggest that a wireless network base station gives VoIP data packets higher priority than other data packets, as in claim 53. Hence, claim 53 is allowable for at least this additional reason.

#### B. Claims 54-56

The cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 54. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 54. The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 54. *See* Office Action, p. 3 (Emphasis Added).

In further contrast to claim 54, Holloway discloses a low power RF transmitter associated with a landline telephone. *See* Holloway, paragraph [0017]. Holloway's low power RF transmitter is programmed to include the phone number of a preferred phone, and this preferred phone number is transmitted as part of the low power RF transmitter's signal. *See* Holloway, paragraph [0017]. When a mobile phone is within the signal range of the transmitter, the mobile phone receives the transmitter's signal and subsequently sends a message to a cellular system requesting that calls directed to the mobile phone be directed to the preferred phone. *See* Holloway, paragraph [0017]. The transmitter disclosed in Holloway is not configured for voice communications via a voice communications network. Furthermore, the transmitter disclosed in Holloway is not configured for voice communications between a mobile communication device and a landline telephone. The transmitter disclosed in Holloway operates to communicate the phone number of a "preferred phone" to any mobile phones that are within signal range of the low power RF transmitter, without ever sending or receiving voice communications.

Holloway does disclose an alternative embodiment of the transmitter, where the transmitter is capable of receiving the identity of a first mobile phone and passing the identity of the mobile phone to a preferred cellular phone. *See* Holloway, paragraphs [0017]-[0021]. Even in this alternative embodiment, Holloway's transmitter is still not configured for voice



communications via a voice communications network. Furthermore, in this alternative embodiment, the transmitter disclosed in Holloway also is not configured for voice communications between a mobile communication device and a landline telephone. Therefore, the cited portions of Holloway fail to disclose or suggest at least one element of claim 54.

In further contrast to claim 54, Hsu describes a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes at least one MSC. *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations that the MSC controls. Thus, each base station disclosed by Hsu is associated with an MSC rather than a landline telephone. Therefore, the cited portions of Hsu fail to disclose or suggest at least one element of claim 54.

In further contrast to claim 54, Amos discloses a system for sending and receiving VoIP data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. Amos discloses that the hybrid wireless VoIP telephone communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. The cited portions of Amos do not disclose or suggest a wireless network base station associated with a landline telephone. The cited portions of Amos also do not disclose or suggest a wireless network base station that is configured for voice communications between a mobile communication device and a landline telephone, as in claim 54.

Therefore, the cited portions of Moore, Holloway, Hsu, and Amos, individually or in combination, fail to disclose or suggest the specific combination of claim 54. Hence, claim 54 is allowable. Claims 55-56 depend from claim 54, which Applicant has shown to be allowable. Accordingly, claims 55-56 are also allowable at least by virtue of their dependence from claim 54.

### C. Claims 59-60

The cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 59. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice

communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 59. The Office admits that Moore does not disclose or suggest a wireless network base station associated with a landline telephone, as in claim 59. *See* Office Action, p. 3 (Emphasis Added).

In further contrast to claim 59, Holloway discloses a low power RF transmitter associated with a landline telephone. *See* Holloway, paragraph [0017]. Holloway's low power RF transmitter is programmed to include the phone number of a preferred phone, and this preferred phone number is transmitted as part of the low power RF transmitter's signal. *See* Holloway, paragraph [0017]. When a mobile phone is within the signal range of the transmitter, the mobile phone receives the transmitter's signal and subsequently sends a message to a cellular system requesting that calls directed to the mobile phone be directed to the preferred phone. *See* Holloway, paragraph [0017]. The transmitter disclosed in Holloway is not configured for voice communications via a voice communications network. Furthermore, the transmitter disclosed in Holloway is not configured for voice communications between a mobile communication device and a landline telephone. The transmitter disclosed in Holloway operates to communicate the phone number of a "preferred phone" to any mobile phones that are within signal range of the low power RF transmitter, without ever sending or receiving voice communications.

Holloway discloses an alternative embodiment of the transmitter, where the transmitter is capable of receiving the identity of a first mobile phone and passing the identity of the mobile phone to a preferred cellular phone. *See* Holloway, paragraphs [0017]-[0021]. Even in this alternative embodiment, Holloway's transmitter is still not configured for voice communications via a voice communications network. Furthermore, in this alternative embodiment, the transmitter disclosed in Holloway also is not configured for voice communications between a mobile communication device and a landline telephone. Therefore, the cited portions of Holloway fail to disclose or suggest at least one element of claim 59.

In further contrast to claim 59, Hsu describes a cellular telephone communication system. *See* Hsu, col. 4, lines 5-6. The system includes a cellular telephone network that includes at least one MSC. *See* Hsu, col. 4, lines 25-26. Each MSC connects through trunk circuits to a number of base stations that the MSC controls. Thus, each base station disclosed by Hsu is associated

with an MSC rather than a landline telephone. Therefore, the cited portions of Hsu fail to disclose or suggest at least one element of claim 59.

In further contrast to claim 59, Amos discloses a system for sending and receiving VoIP data over a wireless computer network utilizing a hybrid wireless VoIP telephone. *See* Amos, Abstract. Amos discloses that the hybrid wireless VoIP telephone communicates via two different local area network protocols (802.11x and Bluetooth). *See* Amos, paragraphs [0015] and [0040]. The cited portions of Amos do not disclose or suggest a wireless network base station associated with a landline telephone. The cited portions of Amos also do not disclose or suggest a wireless network base station that is configured for voice communications between a mobile communication device and a landline telephone, as in claim 59.

Therefore, the cited portions of Moore, Holloway, Hsu, and Amos, individually or in combination, fail to disclose or suggest the specific combination of claim 59. Hence, claim 59 is allowable. Claim 60 depends from claim 59, which Applicant has shown to be allowable. Accordingly, claim 60 is also allowable at least by virtue of its dependence from claim 59.

## **II. Claims 2 and 3 are Allowable**

The Office has rejected claims 2 and 3, at page 8 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Holloway, Hsu, Amos, and further in view of U.S. Patent No. 5,920,815 (“Akhavan”). Applicant respectfully traverses the rejections.

Claims 2 and 3 depend from claim 1. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. The cited portions of Akhavan also do not disclose or suggest this element of claim 1. Rather, Akhavan discloses a Personal Communication System (PCS) using a Personal Phone Number (PPN) associated with each portable subscriber station. *See* Akhavan, Abstract. Akhavan discloses that the hand set

monitors the existence of communications between it and the base station and automatically reactivates the cellular mode function when it determines that communications no longer exist with the base station. *See* Akhavan, col. 19, lines 48-59. The cited portions of Akhavan do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Hence, the cited portions of Moore, Holloway, Hsu, Amos, and Akhavan fail to disclose or suggest at least one element of claim 1. Accordingly, claims 2 and 3 are allowable, at least by virtue of their dependence from claim 1.

### **III. Claims 29 and 31 are Allowable**

The Office has rejected claims 29 and 31, at page 9 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Holloway, Hsu, Amos and further in view of U.S. Patent Application Publication No. 2003/0133421 (“Sundar”). Applicant respectfully traverses the rejections.

Claims 29 and 31 depend from claim 1. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. The cited portions of Sundar also do not disclose or suggest this element of claim 1. Instead, Sundar discloses a gateway mobile switching center (‘GMSC’) switch that simultaneously acts as a serving MSC for WLAN voice traffic. *See* Sundar, paragraph [0051]. Sundar’s GMSC is not associated with a landline telephone, as in claim 1. Hence, the cited portions of Moore, Holloway, Hsu, Amos, and Sundar fail to disclose or suggest at least one element of claim 1. Accordingly, claims 29 and 31 are allowable, at least by virtue of their dependence from claim 1.



**IV. Claim 47 is Allowable**

The Office has rejected claim 47, at page 10 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Holloway, Hsu, Amos, Akhavan, and further in view of U.S. Patent No. 6,091,948 (“Carr”). Applicant respectfully traverses the rejection.

Claim 47 depends from claim 1. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos, and Akhavan do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. The cited portions of Carr also do not disclose or suggest this element of claim 1. Instead, Carr discloses a call forwarding automation feature in a wireless telephone. *See Carr, Abstract*. Accordingly, claim 47 is allowable, at least by virtue of its dependence from claim 1.

**V. Claims 48 and 58 are Allowable**

The Office has rejected claims 48 and 58, at page 11 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Holloway, Hsu, Amos, and further in view of U.S. Patent No. 6,708,028 (“Byrne”). Applicant respectfully traverses the rejections.

Claim 48 depends from claim 1. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. The cited portions of Byrne also do not disclose or suggest this element of claim 1. Instead, Byrne discloses a radio telephone capable of being operated in more than one radio telephone system. *See Byrne, Abstract*. Accordingly, claim 48 is allowable, at least by virtue of its dependence from claim 1.

Claim 58 depends from claim 54. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 54. For example, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 54. The cited portions of Byrne also do not disclose or suggest this element of claim 54. Instead, Byrne discloses a radio telephone capable of being operated in more than one radio telephone system. *See* Byrne, Abstract. Accordingly, claim 58 is allowable, at least by virtue of its dependence from claim 54.

#### **VI. Claims 49-51 and 57 are Allowable**

The Office has rejected claims 49-51 and 57, at page 13 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Moore, Holloway, Hsu, Amos, and further in view of U.S. Patent No. 6,950,675 (“Wilhelm”). Applicant respectfully traverses the rejections.

Claims 49-51 depend from claim 1. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 1. Wilhelm does not disclose or suggest the features of claim 1 not disclosed by the cited portions of Moore, Holloway, Hsu, and Amos. In contrast to claim 1, Wilhelm discloses a radio communication system in which at least one base station contains a transceiver to transmit and receive by various radio transmission modes. *See* Wilhelm, Abstract. A subscriber terminal transmits an identification code to the base station. *See* Wilhelm, col. 6, lines 58-61. The identification code indicates a preferred radio transmission mode. *See* Wilhelm, col. 6, lines 58-67. The cited portions of Wilhelm do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 1. Accordingly, claims 49-51 are allowable, at least by virtue of their dependence from claim 1.

Claim 57 depends from claim 54. As explained above, the cited portions of Moore, Holloway, Hsu, and Amos do not disclose or suggest the specific combination of claim 54. The

cited portions of Wilhelm do not disclose or suggest the elements of claim 54 not disclosed or suggested by the cited portions of Moore, Holloway, Hsu, and Amos. In contrast to claim 54, Wilhelm discloses a radio communication system in which at least one base station contains a transceiver to transmit and receive by various radio transmission modes. *See* Wilhelm, Abstract. A subscriber terminal transmits an identification code to the base station. *See* Wilhelm, col. 6, lines 58-61. The identification code indicates a preferred radio transmission mode. *See* Wilhelm, col. 6, lines 58-67. The cited portions of Wilhelm do not disclose or suggest a wireless network base station associated with a landline telephone, the wireless network base station configured for voice communications via a voice communications network, the wireless network base station further configured for voice communications between a mobile communication device and a landline telephone, as in claim 54. Accordingly, claim 57 is allowable, at least by virtue of its dependence from claim 54.

### **CONCLUSION**

Applicant has pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references applied in the Office Action.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.


Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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